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SILICON VALLEY PATENT GROUP LLP 2350 MISSION COLLEGE BOULEVARD SUITE 360 SANTA CLARA, CA 95054			WILSON, ROBERT W	
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			2661	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/766,027

Applicant(s)

CORNELIUS ET AL.

Examiner

Robert W. Wilson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19,35-47 and 61-73 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19,35-47 and 61-73 is/are rejected.
- 7) ☒ Claim(s) 1-19,35-47 and 61-73 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 39, & 42-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman (U.S. Patent No.; 6,134,235) in view of Siddiqui (U.S. Patent No.: 6,826,176)

Referring to claim 1, Goldman teaches: A method of sending telephony traffic over a packet-switched network per Fig 2A. Telephony data signal is received at 222 or Telephony data signaling destination port as PAYLOAD OBJECTs which are processed in 201 per Fig 2A. Call control signaling is received at 222 or call control signaling destination port which is processed in SIGNAL OBJECTs per Fig 2A. 222 per Fig 2A receives a media stream from a another inherent POTS/PACKET Bridge or source which is connected to the Packet Network. The receiving POTS/PACKET Bridge utilizes IP which inherently receives packets which carry the Source address and Destination address as an identifiers. It would have been obvious to one of ordinary skill in the art at the time of the invention that the identifiers received at the destination would be unique otherwise the calls could not be completed

Goldman does not expressly call for: commanding the source of each media to provide a unique identifier.

Siddiqui teaches: commanding the source of each media to provide a unique identifier provided by the source per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

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It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of Goldman in order to setup calls between POTS/PACKET BRIDGES.

In Addition: Goldman teaches: regarding claim 2, plurality of PAYLOAD OBJECT per Fig 2A or media stream

Referring to claim 3, the combination of Goldman and Siddiqui teaches: the method of claim 1.

The combination of Goldman and Siddiqui does not expressly call for: wherein the unique identifier for each media stream is communicated to the destination by each source over call control signaling. Siddiqui teaches: wherein the unique identifier for each media stream is communicated to the destination by each source over call control signaling per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of Goldman in order to setup calls between POTS/PACKET BRIDGES.

Referring to claim 4, the combination of Goldman and Siddiqui teaches: the method of claim 1.

The combination of Goldman and Siddiqui does not expressly call for: wherein all telephony data signaling is received only at the fixed destination port for telephony data signaling. Siddiqui teaches: wherein all telephony data signaling is received only at the fixed destination port for telephony data signaling per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of Goldman in order to setup calls between POTS/PACKET BRIDGES.

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Referring to claim 5, the combination of Goldman and Siddiqui teaches: the method of claim 1.

The combination of Goldman and Siddiqui does not expressly call for: wherein all control signaling is received only at the fixed destination port for call control signaling. Siddiqui teaches: wherein all control signaling is received only at the fixed destination port for call control signaling per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of Goldman in order to setup calls between POTS/PACKET BRIDGES.

Referring to claim 6, the combination of Goldman and Siddiqui teaches: the method of claim 1.

The combination of Goldman and Siddiqui does not expressly call for: wherein the unique identifier is a source port number of the media stream. Siddiqui teaches: wherein the unique identifier is a source port address which has an inherent port number of the media stream per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of Goldman in order to setup calls between POTS/PACKET BRIDGES.

Referring to claim 7, the combination of Goldman and Siddiqui teaches: the method of claim 1.

The combination of Goldman and Siddiqui does not expressly call for: wherein the unique identifier is an ip address of the source. Siddiqui teaches: wherein the unique identifier is a source port address which is an inherently an IP address per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

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It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of Goldman in order to setup calls between POTS/PACKET BRIDGES.

Referring to claim 8, the combination of Goldman and Siddiqui teaches: the method of claim 1.

The combination of Goldman and Siddiqui does not expressly call for: wherein the unique identifier is further comprising of a source port number of the media stream and an IP address of the source. Siddiqui teaches: providing a Source addresss which has an inherent port number per col. 1 line51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of Goldman in order to setup calls between POTS/PACKET BRIDGES.

Referring to claim 39, Goldman teaches: A method of communicating through a firewall in order to protect a POTS/PACKET BRIDGE or switch per Fig 2A. The reference teaches that source POTS/PACKET BRIDGE sends a PAYLOAD OBJECTs (201) or first plurality of media stream through a firewall to a destination per Fig 2A. The reference teaches that the source POTS/PACKET BRIDGE sends SIGNAL OBJECTs (202) or first plurality of control stream through a firewall to a destination. It would have been obvious to one of ordinary skill in the art at the time of the invention to implement a second POTS/PACKET BRIDGE or destination POTS/PACKET BRIDGE in order for the system to scale; thus, the reference teaches that destination POTS/PACKET BRIDGE sends a PAYLOAD OBJECTs (201) or 2nd plurality of media stream through a firewall to a source per Fig 2A. The reference teaches that the

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destination POTS/PACKET BRIDGE sends SIGNAL OBJECTs (202) or second plurality of control stream through a firewall to a destination. It would have been an obvious design choice of one skilled in the art at the time of the invention to vary the location of where the POT/PACKET BRIDGE is implemented to a customer premise on a private network and therefore would be called a PBX in order to send VoIP packets over a private network which would be more secure than a public network.

Goldman does not expressly call for: fixed destination port

Siddiqui teaches: fixed destination port per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of Goldman in order to setup calls between POTS/PACKET BRIDGES.

Referring to claim 42, the combination of Goldman and Siddiqui teaches the method of claim 39.

The combination of Goldman and Siddiqui does not expressly call for: wherein the source of each media stream from each of the plurality of source branch exchanges is uniquely identified such that the destination branch exchange sends a media stream to each of the uniquely identified source branch exchanges in response to the media stream sent from each of the uniquely identified source branch exchanges.

Siddiqui teaches: wherein the source of each media stream from each of the plurality of source branch exchanges is uniquely identified such that the destination branch exchange sends a media stream to each of the uniquely identified source branch exchanges in response to the media

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stream sent from each of the uniquely identified source branch exchanges per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of Goldman in order to setup calls between POTS/PACKET BRIDGES.

Referring to claim 43, "Ethernet" in the preamble was not further defined in the claim limitations therefore it was treated as an intended usage and not given weight. The combination of Goldman and Siddiqui teaches all of the claim limitations for a first media stream associated with telephony data traffic and first media stream for control data traffic as defined in the rejection for claim 1 above. The above rejection does not expressly call for: 2nd media stream associated with telephony data traffic and 2nd media stream for control data traffic; however, Goldman teaches a 2nd PAYLOAD OBJECT and a 2nd SIGNAL OBJECT respectively.

In Addition: Goldman teaches:

Regarding claim 44, plurality of PAYLOAD OBJECT per Fig 2A or media stream

Regarding claim 46, PAYLOAD OBJECT or media only received at destination port per Fig 2A.

Regarding claim 47, SIGNAL OBJECT or call control traffic only received at destination port per Fig 2A.

Referring to claim 45, the combination of Goldman and Siddiqui teaches: the method of claim 43. The combination of Goldman and Siddiqui does not expressly call for: wherein the unique identifier for each media stream is communicated to the destination by each source over call

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control signaling. Siddiqui teaches: wherein the unique identifier for each media stream is communicated to the destination by each source over call control signaling per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of Goldman in order to setup calls between POTS/PACKET BRIDGES.

3. Claims 37-38 & 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman (U.S. Patent No.; 6,134,235) in view of Siddiqui (U.S. Patent No.: 6,826,176) further in view of Comer

Referring to claim 37, Goldman and Siddiqui teaches: the method of claim 35. The combination of Goldman and Siddiqui does not expressly call for: UDP utilized for the media stream
Comer teaches: UDP utilized for the media stream per Pg 197-202.

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the UDP of Comer with the method of the combination of Goldman and Siddiqui which teaches utilizing TCP/IP because it is an obvious design choice .

Referring to claim 38, Goldman and Siddiqui teaches: the method of claim 35. The combination of Goldman and Siddiqui does not expressly call for: TCP utilized for the control stream
Comer teaches: TCP utilized for the control stream per Pg 209-222

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the TCP of Comer with the method of the combination of Goldman and Siddiqui which

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teaches utilizing TCP/IP because it is an obvious design choice receipt of the packets can be verified.

Referring to claim 40, Goldman and Siddiqui teaches: the method of claim 39. The combination of Goldman and Siddiqui does not expressly call for: UDP utilized for the media stream

Comer teaches: UDP utilized for the media stream per Pg 197-202.

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the UDP of Comer with the method of the combination of Goldman and Siddiqui which teaches utilizing TCP/IP because it is an obvious design choice .

Referring to claim 41, Goldman and Siddiqui teaches: the method of claim 39. The combination of Goldman and Siddiqui does not expressly call for: TCP utilized for the control stream

Comer teaches: TCP utilized for the control stream per Pg 209-222

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the TCP of Comer with the method of the combination of Goldman and Siddiqui which teaches utilizing TCP/IP because it is an obvious design choice receipt of the packets can be verified.

4. Claims 9-19 & 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman (U.S. Patent No.; 6,134,235) in view of Siddiqui (U.S. Patent No.: 6,826,176) further in view of Ong (U.S. Patent No.; 6,922,786)

Referring to claim 9, Goldman teaches: A method of sending telephony traffic over a packet-switched network per Fig 2A. Telephony data signal is received at 222 or Telephony data

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signaling destination port as PAYLOAD OBJECT which are processed in 201 per Fig 2A. Call control signaling is received at 222 or call control signaling destination port which is processed in SIGNAL OBJECT per Fig 2A. 222 per Fig 2A receives a media stream from a another inherent POTS/PACKET Bridge or source which is connected to the Packet Network. The receiving POTS/PACKET Bridge utilizes IP which receives packets which carry the Source address and Destination address as an identifiers. It would have been obvious to one of ordinary skill in the art at the time of the invention that the identifiers received at the destination would be unique otherwise the calls could not be completed

Goldman does not expressly call for: commanding the source of each media to provide a unique identifier provided by the source or opening a first firewall corresponding to telephony data traffic or opening a second fire wall corresponding to call control data traffic but teaches that this traffic can go through a firewall.

Siddiqui teaches: commanding the source of each media to provide a unique identifier per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of Goldman in order to setup calls between POTS/PACKET BRIDGES.

The combination of Goldman and Siddiqui do not expressly call for: opening a first firewall corresponding to telephony data traffic or opening a second fire wall corresponding to call control data traffic but Goldman teaches that the traffic can go through a firewall.

Ong teaches: that traffic can be filtered in a firewall based upon port identifier per col. 3 lines 43-col. 4 line 67.

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It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the firewall filter of Ong on port identifier to the system of Goldman and Siddiqui in order to provide security to the network. It would have been an obvious design choice to implement a firewall or packet filter on telephony data traffic as well as on control traffic in order to keep the network secure.

In Addition: Goldman teaches: regarding claim 10, plurality of PAYLOAD OBJECT per Fig 2A or media stream

Referring to claim 11, the combination of Goldman, Siddiqui and Ong teaches: the method of claim 9. The combination of Goldman, Siddiqui and Ong does not expressly call for: wherein the unique identifier for each media stream is communicated to the destination by each source over call control signaling. Siddiqui teaches: wherein the unique identifier for each media stream is communicated to the destination by each source over call control signaling per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of the Siddiqui to the POTS/PACKET BRIDGE of Goldman, Siddiqui and Ong in order to setup calls between POTS/PACKET BRIDGES.

Referring to claim 12, the combination of Goldman, Siddiqui and Ong teaches: the method of claim 9. The combination of Goldman, Siddiqui and Ong does not expressly call for: wherein all telephony data signaling is received only at the fixed destination port for telephony data signaling. Siddiqui teaches: wherein all telephony data signaling is received only at the fixed

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destination port for telephony data signaling per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of the combination of Goldman, Siddiqui and Ong in order to setup calls between POTS/PACKET BRIDGES.

Referring to claim 13, the combination of Goldman, Siddiqui and Ong teaches: the method of claim 9. The combination of Goldman, Siddiqui and Ong does not expressly call for: wherein all control signaling is received only at the fixed destination port for call control signaling. Siddiqui teaches: wherein all control signaling is received only at the fixed destination port for call control signaling per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of the combination of Goldman, Siddiqui and Ong in order to setup calls between POTS/PACKET BRIDGES.

Referring to claims 14 & 17, the combination of Goldman, Siddiqui and Ong teaches: the method of claim 9. The combination of Goldman, Siddiqui and Ong does not expressly call for: wherein the unique identifier is a source port number of the media stream. Siddiqui teaches: wherein the unique identifier is a source port address which has an inherent port number of the media stream per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of the combination of Goldman, Siddiqui and Ong in order to setup calls between POTS/PACKET BRIDGES.

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Referring to claims 15 & 18, the combination of Goldman, Siddiqui and Ong teaches: the method of claim 9. The combination of Goldman, Siddiqui and Ong does not expressly call for: wherein the unique identifier is an ip address of the source. Siddiqui teaches: wherein the unique identifier is a source port address which is an inherently an IP address per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of combination of Goldman, Siddiqui and Ong in order to setup calls between POTS/PACKET BRIDGES.

Referring to claim 16 & 19, the combination of Goldman, Siddiqui and Ong teaches: the method of claim 9. The combination of Goldman, Siddiqui and Ong does not expressly call for: wherein the unique identifier is further comprising of a source port number of the media stream and an IP address of the source. Siddiqui teaches: providing a Source addresss which has an inherent port number per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of combination of Goldman, Siddiqui and Ong in order to setup calls between POTS/PACKET BRIDGES.

Referring to claim 35, Goldman teaches: A method of communicating through a firewall in order to protect a POTS/PACKET BRIDGE or switch per Fig 2A. The reference teaches that source POTS/PACKET BRIDGE sends a PAYLOAD OBJECT (201) or first media stream through a firewall to a destination per Fig 2A. The reference teaches that the source POTS/PACKET BRIDGE sends SIGNAL OBJECT (202) or first control stream through a firewall to a

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destination. It would have been obvious to one of ordinary skill in the art at the time of the invention to implement a second POTS/PACKET BRIDGE or destination POTS/PACKET BRIDGE in order for the system to scale; thus, the reference teaches that destination POTS/PACKET BRIDGE sends a PAYLOAD OBJECT (201) or 2nd media stream through a firewall to a source per Fig 2A. The reference teaches that the destination POTS/PACKET BRIDGE sends SIGNAL OBJECT (202) or second control stream through a firewall to a destination. It would have been an obvious design choice of one skilled in the art at the time of the invention to vary the location of where the POT/PACKET BRIDGE is implemented to a customer premise on a private network and therefore would be called a PBX in order to send VoIP packets over a private network which would be more secure than a public network. Goldman does not expressly call for: fixed destination port or opening a first and second hole in the firewall

Siddiqui teaches: fixed destination port per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the POTS/PACKET BRIDGE of Goldman in order to setup calls between POTS/PACKET BRIDGES.

The combination of Goldman and Siddiqui do not expressly call for: opening a first and second hole in the firewall but Goldman teaches that the traffic can go through a firewall.

Ong teaches: that traffic can be filtered in a firewall based upon port identifier per col. 3 lines 43-col. 4 line 67.

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It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the firewall filter of Ong on a port identifier to the system of Goldman and Siddiqui in order to provide security to the network. It would have been an obvious design choice to implement a firewall or packet filter on telephony data traffic as well as on control traffic in order to keep the network more secure.

5. Claims 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman (U.S. Patent No.; 6,134,235) in view of Siddiqui (U.S. Patent No.: 6,826,176) in view of Ong (U.S. Patent No.: 6,922,786) further in view of Comer

Referring to claim 36, Goldman, Siddiqui, and Ong teaches: the method of claim 35. The combination of Goldman, Siddiqui, and Ong do not expressly call for: UDP utilized for the media stream

Comer teaches: UDP utilized for the media stream per Pg 197-202.

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the UDP of Comer with the method of the combination of Goldman, Siddiqui, and Ong which teaches utilizing TCP/IP because it is an obvious design choice .

Referring to claim 37, Goldman, Siddiqui, and Ong teach: the method of claim 35. The combination of Goldman, Siddiqui, and Ong do not expressly call for: TCP utilized for the control stream

Comer teaches: TCP utilized for the control stream per Pg 209-222

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the TCP of Comer with the method of the combination of Goldmanm, Siddiqui, and Ong

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which teaches utilizing TCP/IP because it is an obvious design choice receipt of the packets can be verified.

6. Claims 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman (U.S. Patent No.; 6,134,235) in view of Siddiqui (U.S. Patent No.: 6,826,176) in view of Ong (U.S. Patent No.: 6,922,786)

Referring to claim 38, the combination of Goldman, Siddiqui, and Ong teaches the method of claim 35. The combination of Goldman, Siddiqui, and Ong does not expressly call for: wherein the source of each media stream from each of the plurality of source branch exchanges is uniquely identified such that the destination branch exchange sends a media stream to each of the uniquely identified source branch exchanges in response to the media stream sent from each of the uniquely identified source branch exchanges.

Siddiqui teaches: wherein the source of each media stream from each of the plurality of source branch exchanges is uniquely identified such that the destination branch exchange sends a media stream to each of the uniquely identified source branch exchanges in response to the media stream sent from each of the uniquely identified source branch exchanges per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the method of Goldman, Siddiqui and Ong in order to setup up calls.

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7. Claim 61-69 & 71-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman (U.S. Patent No.; 6,134,235) in view of Ong (U.S. Patent No.; 6,922,786)

Referring to claim 61, Goldman teaches: A method of sending telephony traffic through a firewall per Fig 2A. 101 per Fig 1 or first plurality of handsets initiating. 131 per Fig 1 or second plurality of handsets for responding. 120 per Fig 1 or communication network. Goldman teaches a first switch which is directing and receiving a plurality of PAYLOAD OBJECTS or data and a plurality of SIGNAL OBJECTS or signal and teaches that the packets go through a firewall for security. It would have been an obvious design choice to implement the system of Goldman with a second POTS/PACKET BRIDGE or switch in order for the invention to scale.

Goldman does not expressly call for: a first hole in the firewall.

Ong teaches a first hole in the firewall per col. 3 line 43-col. 4 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the firewall filter of Ong on port identifier to the system of Goldman in order to provide security to the network.

Referring to claim 62, the combination of Goldman and Ong teaches: the system of claim 61, the combination of Goldman and Ong does not expressly call for: wherein the first hole is the only hole in the firewall for receiving said plurality of media stream

Ong teaches a first hole in the firewall per col. 3 line 43-col. 4 line 67.

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It would have been obvious to one of ordinary skill in the art at the time of the invention to implement the firewall filter of Ong on port identifier for the system of Goldman on only media streams in order to enhance security.

In Addition Goldman teaches:

Regarding claim 63, voice or audio per col. 4 line 10

Regarding claim 64, moving images or video per col. 4 line 12.

Regarding claim 65, voice and moving images or mixture per col. 4 lines 10-12.

Regarding claim 66, the sending POTS/PACKET BRIDGE or first switch sends media streams to the firewall.

Regarding claim 67, the sending POTS/PACKET BRIDGE or first switch sends control data to the firewall.

Regarding claim 68, the receiving POTS/PACKET BRIDGE or 2nd switch identifies each packet.

Regarding claim 69, the receiving POTS/PACKET BRIDGE or 2nd switch associates each packet with a stream.

Regarding claim 71, the POTS/PACKET bridge sends media streams in TCP/IP which inherently sends a source address with an inherent source port.

Regarding claim 72, the POTS/PACKET bridge sends media streams in TCP/IP which inherently sends an IP source address

8. Claim 70 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman (U.S. Patent No.; 6,134,235) in view of Ong (U.S. Patent No.; 6,922,786) further in view of Siddiqui (U.S. Patent No.: 6,826,176)

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Referring to claim 70, the combination of Goldman and Ong teaches: the system of claim 61.

The combination of Goldman and Ong does not expressly call for: wherein the common destination port is fixed.

Siddiqui teaches: wherein the common destination port is fixed per col. 1 line 51-col. 3 line 20 and col. 3 line 44-col. 5 line 67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the call setup procedure of Siddiqui to the system of the combination of Goldman and Ong in order to setup calls between POTS/PACKET BRIDGES.

9. Claim 73 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldman (U.S. Patent No.; 6,134,235) in view of Ong (U.S. Patent No.; 6,922,786) further in view of Comer. Referring to claim 73, the combination of Goldman and Ong teaches: the system of claim 61, the combination of Goldman and Ong does not expressly call for: wherein said field in an RTP header of each packet is used to form the association between the packet and the media stream. Comer teaches: RTP used for media streams per Pgs 542-551.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the RTP of Comer for media streams to the system of the combination of Goldman and Ong in order to be standards compliant.

Claim Rejections - 35 USC § 112

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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11. Claims 1-19 & 35-47 & 61-73 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to claim 1, what is meant by “fixed destination port” for telephony data signaling and call control signaling? Are they the same port or different ports.

Referring to claim 9, what is meant by “fixed destination port” for telephony data signaling and call control signaling? Are they the same port or different ports. Is there a separate fixed destination port opened for each media stream or does a single fixed destination port apply for all media streams? Is there a fixed destination port for each control stream or a single fixed destination port for all control streams?

Referring to claim 35, what is meant by “fixed destination port”? Are there four different fixed destination ports or a single fixed destination port?

Referring to claim 39, what is meant by “control streams”, “media streams”, and “fixed destination ports”?

Referring to claim 61, what is meant by the “communication network”? Where is the communication network located? Is it located between the first and second switch or between the handsets and the switches?

Claim Objections

12. Claims 35-38 are objected to because of the following informalities: Referring to claim 35 the examiner objects the usage of “media stream. The examiner suggests changing it to a “first media stream”. Appropriate correction is required.

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Claims 9-35 & 61-73 are objected to because of the following informalities: The examiner objects to the wording of “opening a hole in a firewall” The applicant specification does not support this claim. According to the specification the hole in the firewall is already open and the filter is set to allow packets with the appropriate port address not to be filtered. The applicant is entitled to be their own lexicographer but it is the examiner’s opinion that opening a hole in a firewall implies that there is call control interaction occurs between the source and the firewall which is used in the art. There is no call control interaction between the source and the firewall according to the applicant specification; therefore, the examiner asserts the hole in the firewalls are already open. The examiner suggests that the applicant reword the claim limitation to more accurately describe the function that is being performed. Appropriate correction is required.

Claim Objections

13. Applicant is advised that should claims 14-16 be found allowable, claims 17-19 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Drawings

14. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the limitations of “creating a fixed destination port for data signaling and call control as well as commanding the identifier”

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associated with independent claims 1, 9, & 43 as well as the “fixed destination ports” per independent claims 35, 39, 61, and 1st hole and 2nd hole in independent claims 35 & 61, these limitation must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Response to Amendment

15. Applicant's arguments with respect to claims 1-9, 35-47, & 61-73 have been considered but are moot in view of the new ground(s) of rejection.

The examiner discovered new prior art and as a result has submitted this new grounds of rejection.

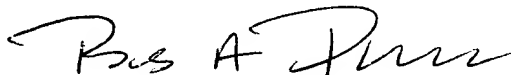
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Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Wilson whose telephone number is 571/272-3075. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on 571/272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**BOB PHUNKULH
PRIMARY EXAMINER**

RWW
11/10/05



Robert W Wilson
Examiner
Art Unit 2661